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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/697,368	10/30/2003	Mark S. Penke	A3348	7889
25453 7590 04/16/2008 PATENT DOCUMENTATION CENTER XEROX CORPORATION 100 CLINTON AVE., SOUTH, XEROX SQUARE, 20TH FLOOR ROCHESTER, NY 14644				
EXAMINER TSANG, ELBERT				
ART UNIT 2625		PAPER NUMBER		
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/697,368

**Applicant(s)**

PENKE ET AL.

**Examiner**

ELBERT TSANG

**Art Unit**

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 30 October 2003.  
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-90 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
6) ☒ Claim(s) 1-90 is/are rejected.  
7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.  
10) ☒ The drawing(s) filed on 30 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)  
2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)  
3) ☒ Information Disclosure Statement(s) (PTO-8508)  
Paper No(s)/Mail Date 10/30/03  
4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_  
5) ☐ Notice of Informal Patent Application  
6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Specification*

1. The disclosure is objected to because of the following informalities:

Para. 0001: application numbers referenced are missing.

Para. 0051: application numbers referenced are missing.

Appropriate correction is required.

### *Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. **Claims 1-7, 11-14, 17-23, 28-43, 45-49, 52, 57-70, 72-76 and 82-90 are rejected under 35 U.S.C. 102(b) as being anticipated by Kolls, Pub No.: US 2002/0156704 (hereinafter Kolls).**

Re claim 66, Kolls discloses a public access multifunction device comprising: a controller [fig. 1Q; controller 106]; a user interface (UI) running on the controller and comprising a plurality of UI elements with which a user can interact with the device [para. 0074; wherein controller is to govern PC and use of peripheral devices]; at least

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one display device on which UI elements and data can be displayed [monitor 128]; at least one pointing device [mouse 112]; at least one text entry device [keyboard 110]; marking, scanning, and fax transmission engines responsive to the controller [para. 0074; wherein controller is to govern PC and use of peripheral devices]; printing, scanning, copying, and faxing service modules in communication with the marking, scanning, and faxing engines and responsive to the controller [para. 0076; inclusion of printers, copiers, facsimile machines and scanners interconnected to microcontroller]; the printing service module receiving print data from the controller and employing the marking engine to produce hard copy of print data; the scanning service module receiving scanned data from the scanning engine and transmitting it to the controller; the copying service module accepting scanned data from the scanning engine and reproducing the scanned data with the marking engine to produce a hard copy of the scanning engine input; the fax module accepting input from the scanning engine and transmitting the scanning engine input as a fax via the fax transmission engine; at least one data port responsive to the controller through which the device can accept and transmit data [para. 0148; data communication means], the at least one data port comprising: at least one user detector [para. 0110; equipment control means responsive to customer identification; para. 0153, i.e. motion detector]; at least one audio input port [para. 0139; voice record means 570 microphone 572]; at least one audio output port [para. 0139; voice playback means 570 speaker 574]; at least one video input port [para. 0143; video record and playback means 576]; at least one telephone service connection [para 0116; telephone interface control] ; and at least one networking port [para. 0137;

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communication means 564, 566]; an audio data handler module controlled by the controller and responsive to a UI with a plurality of elements representing different audio functions [para. 0139; both voice record and playback]; a storage medium responsive to the controller on which the device can store print and scanning data, as well as other files required for its operation [para. 0118; non-volatile memory].

Claims 1-4, 6, 11, 13, 37-40, 42, 45, 47, 66-67, 69, 72, 74 are rejected w/r to claim 66 above.

For claim 14, Kolls discloses the device of claim 1 wherein the at least one data port includes wireless data port [para. 0108; infrared communications means 502].

Claims 17-19, 48-49, 75-76 are rejected w/r to claim 14 above.

For claim 21, Kolls discloses the device of claim 1 wherein the at least one data port comprises an Ethernet port [para. 0135; hardwired communication means 562 can be implement using Ethernet].

Claims 22 and 52 are rejected w/r to claim 21 above.

For claim 20, Kolls discloses the device of claim 1 wherein the at least one data port comprises a serial data port and the controller communicates with another device

via the serial data port and a compatible serial data port of the another device to act like a serial peripheral of the another device [para. 0149; high-speed serial interface interconnected with microcontroller].

For claim 23, Kolls discloses the device of claim 1 wherein the at least one data port comprises a parallel interface data port and the controller communicates with another device via the parallel interface data port and a compatible parallel interface data port of the another device to act like a parallel interface peripheral of the another device [para. 0138; parallel interface 568 interconnected with microcontroller].

For claim 28, Kolls discloses the device of claim 1 further comprising an Internet access module with which a user can navigate the Internet [para. 0164; PC 630 that gives access to Internet].

For claim 12, Kolls discloses the device of claim 11 wherein at least one of the plurality of UI elements represents videoconferencing, the device further comprising a videoconferencing module in communication with the video module, the video module accepts audio input from the at least one audio input port and sends it to the telephone module, and the videoconferencing module sends the video to a videoconference [para. 0141; interactively communicating by way of microphone 572, speaker 574, camera 578, and display means 580 and 582].

Claims 46 and 73 are rejected w/r to claim 12 above.

For claim 63, Kolls discloses the device of claim 37 further comprising at least one video display device on which the controller displays UI elements to interact with users, as well as data requested for display by users [para. 0141; display means 580 and 582];

For claim 64, Kolls discloses the device of claim 63 wherein the controller displays advertisements on the at least one video display device during periods when the device is not in use [para. 0141; advertisement displayed on display means 580 or 582].

For claim 65, Kolls discloses the device of claim 63 wherein the at least one video display device comprises a touch sensitive display that is also a GUI input device [para 0097; wherein a touch screen can be a user interface].

Claims 34-36 and 88-90 are rejected w/r to claims 63-65 above.

For claim 5, Kolls discloses the device of claim 3 wherein at least one of the plurality of UI elements represents voice-over-IP communication, the device further comprising a voice-over-IP module in communication with the audio data handler module, which accepts audio input from the at least one audio input port and sends it to

the voice-over-IP module, which sends the audio over an IP connection [para. 0139; wherein the system effectively communicates data, voice, audio, and video over the systems and network in conjunction by communications means 560, i.e. Ethernet, TCP/IP or other networking scheme].

Claims 41 and 68 are rejected w/r to claim 5 above.

For claim 7, Kolls discloses the device of claim 3 wherein at least one of the plurality of UI elements represents voice authentication and the device further comprises a voice authentication module responsive to the controller and in communication with the audio data handler to accept voice input for authentication [para. 0188; wherein biometric input such as voice identification is an acceptable form of ID].

Claims 43 and 70 are rejected w/r to claim 7 above.

For claim 29, Kolls discloses the device of claim 1 wherein the payment acceptance module comprises an interface with an online payment service [para. 0171; remote location 606 can be an online service or credit bureau].



For claim 30, Kolls discloses the device of claim 1, wherein the payment acceptance module comprise a currency acceptor [para. 0075; transaction control device 108 that accepts currency].

For claim 31, Kolls discloses the device of claim 1 wherein the payment acceptance module comprises a credit card reader and charge authorization module [para. 0132; i.e. plurality of card and key readers and writers].

For claim 32, Kolls discloses the device of claim 1 wherein the payment acceptance module comprises an interactive account creation and maintenance interface in which a user can create an account including payment information [para. 0125; auxiliary terminal interface control 530 for interfacing with a transaction control device 108; interfacing with control device is act of interaction between user and device for account setup/maintenance].

For claim 33, Kolls discloses the device of claim 32 wherein the payment acceptance module comprises user authorization to use an existing account [para. 0188; access control terminal used to accept ID and grant access].

Claims 57-62 are rejected w/r to claims 1, 29-33 above respectively.

Claims 82-87 are rejected w/r to claims 1, 29-33 above respectively.

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**5. Claims 8-10, 44 and 71 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kolls as applied to claims 1, 7, 37, 39 and 66 above, in view of Kato, Pub No.: US 2003/0036909 (hereinafter Kato).**

For claims 8-10, Kolls discloses the device of claim 3. Kolls does not teach wherein at least one of the plurality of UI elements represents voice navigation and the device further comprises a voice navigation module responsive to the controller and in communication with the audio data handler to accept voice input for voice navigation, wherein voice navigation traverses a UI of the device; and wherein voice navigation further traverses manipulation of data within modules of the device.

Kato discloses at least one audio input port and an audio data handler module controlled by the controller and comprising a UI with a plurality of elements representing different audio functions [fig. 9; para. 0063; i.e. voice input unit 170, audio output unit 180], at least one of the plurality of UI elements represents voice navigation and the device further comprises a voice navigation module responsive to the controller and in

communication with the audio data handler to accept voice input for voice navigation [para. 0009; i.e. audio operation mode], voice navigation traverses a UI of the device [fig. 2, 3, 4, 5; para. 0037-0056, 0064; wherein voice is used to navigate through menu structure], and voice navigation further traverses manipulation of data within modules of the device [fig. 2, 3, 4, 5; para. 0037-0056, 0064; wherein voice is used to navigate through menu structure, i.e. alter settings]. Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to use an audio input port and audio data handler for the desire to improve an office environment for people with disability [para. 0003-0004]. Due to displayed instructions, operation of a multi-function peripheral has become impractical for the visually impaired, therefore having an audio operation mode feature alleviates this.

Claims 44 and 71 are rejected w/r to claims 8-10 above.

**6. Claims 15 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kolls as applied to claims 1 and 14 above, in view of Reddy et al., Pub No.: US 2003/0227643 (hereinafter Reddy).**

For claim 15, Kolls discloses the device in claim 14 but does not disclose wherein the wireless data port comprises a Bluetooth™ port. Reddy discloses the use of Bluetooth™ [fig. 2; para. 0043; i.e. Bluetooth]. It would have been obvious to a person

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of ordinary skill in the art at the time the invention was made use Bluetooth as a wireless data port for facilitating wireless communications between devices. Bluetooth is an obvious variation of a wireless application.

For claim 16, Kolls discloses the device in claim 14 but does not disclose wherein the wireless data port comprises an IEEE 802.11 port. Reddy discloses the use of an IEEE 802.11 port [fig. 2; para. 0043; i.e. 802.11 wireless network protocol]. It would have been obvious to a person of ordinary skill in the art at the time the invention was made use IEEE 802.11 port as a wireless data port for facilitating wireless communications between devices. IEEE 802.11 standard is an obvious variation of a wireless application.

**7. Claims 50, 51, 77 and 78 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kolls as applied to claims 37, 48, 49, 66 and 76 above.**

For claim 50, Kolls discloses the device of claim 49 further comprising collaboration software allowing the at least one another device to share data and selectively simultaneously manipulate such data [para. 0077; transmission medium over integrated service digital network (ISDN) suggests a software to be implemented to be able to effectively communicate data, voice, audio and video].

For claim 51, Kolls discloses the device of claim 50 wherein the collaboration software is based on at least an ITU-T H.323 standard [video conferencing systems are well known in the art. International standards have been defined including H.323 as known transport protocols over ISDN. Kolls discloses using ISDN networks and it would have been obvious to a person of ordinary skill in the art at the time the invention was made to use H.323. There are a definite number of protocols therefore it would have been obvious to use.

Claims 77 and 78 are rejected w/r to claims 50 and 51 above, respectively.

**8. Claims 24-27, 53-56 and 79-81 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kolls as applied to claims 1, 37 and 66 above, in view of Carcoba Olivares et al., Pub No.: US 2002/0055835 (hereinafter Carcoba Olivares).**

For claims 24-25, Kolls discloses the device of claim 1. Kolls does not teach the device further comprising an optical disc drive that can accept user optical media and read data therefrom and wherein the optical disc drive further comprises a burn mode in which the optical disc drive can burn data onto optical media.

Carcoba Olivares discloses an optical disc drive that can accept user optical media and read data therefrom [para. 0060; i.e. cd-rom 54], wherein the optical disc drive further comprises a burn mode in which the optical disc drive can burn data onto

optical media [para. 0060; wherein cd-rom is used for uploading and downloading data]. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to use an optical disc drive as a mode for reading and recording data. The arts are analogous in relating to a public kiosk for printing, scanning and copying and would have rendered obvious for one to be able to use their own media for reproduction. Likewise, it would be beneficial to be able to save data onto said medium for later use after engaging with public internet kiosk.

Claim 26 is rejected w/r to claims 24 and 25 above.

For claim 27, Kolls discloses the device of claim 1. However, Kolls does not teach the at least one UI element offering a user the ability to purchase optical media onto which the user can have selected data burned. Carcoba Olivares discloses dispensing of ID card if user does not already have one. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to replace the ID card dispenser with that of optical discs where the user does not already have access to one so that user may use the device accordingly.

Claims 53-56 and 79-81 are rejected w/r to claims 24-27 above.

### ***Conclusion***

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Hoffberg et al. (PG Pub No.: US 2002/0151992) discloses videoconferencing protocols.

### ***Contact***

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to ELBERT TSANG whose telephone number is (571)270-3748. The examiner can normally be reached on 8:00 AM - 5:00 PM, M-F, EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mark K. Zimmerman can be reached on (571) 272-7653. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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/ELBERT TSANG/

Examiner, Art Unit 2625

/Mark K Zimmerman/

Supervisory Patent Examiner, Art Unit 2625